

## **1992 Noncode Acts**

### **1988-83-2**

SECTION 2. (a) There is appropriated to the ratepayer protection fund established under IC 8-1-8.6, as added by P.L.83-1988, three million five hundred thousand dollars (\$3,500,000) from the state general fund for use in carrying out the purposes of IC 8-1-8.6, as added by P.L.83-1988.

(b) There is appropriated to the industrial development grant fund established under IC 4-4-12 three million dollars (\$3,000,000) from the state general fund to provide grants for industrial development programs in accordance with IC 4-4-12.

(c) This SECTION expires July 1, 2002.

### **1990-96-24**

SECTION 24. (a) The state department of health shall conduct a biennial survey of the following facilities or health care settings to determine the extent of the shortage, if any, of registered nurses, licensed practical nurses, nurse aides, and qualified medical assistants in Indiana health care facilities:

- (1) Hospitals licensed under IC 16-10-1.
- (2) Health facilities licensed as skilled nursing facilities or intermediate care facilities under IC 16-10-4.
- (3) Health maintenance organizations.
- (4) Physician offices.
- (5) Home health agencies.
- (6) State mental health institutions and community mental health facilities.

(b) The survey conducted by the state department of health under this SECTION must include the following:

- (1) The number of vacancies and vacancy rates for registered nurses, licensed practical nurses, nurse aides, and qualified medical assistants.
- (2) The number of full-time, part-time, and full-time equivalents of registered nurses, licensed practical nurses, nurse aides, and qualified medical assistants necessary to properly staff the health care facility.
- (3) The amount of overtime paid during the pay period immediately preceding the reporting period delineated in the survey.
- (4) The number of beds that are not utilized because of a shortage of staff at the health care facility.

(c) The survey conducted under this SECTION must be a survey that is conducted in a manner that does not identify the individual responding to the survey.

(d) The state department of health shall compile the results of the survey in a written report in a manner that does not identify the facility and forward a copy to each member of the general assembly before November 1 of the following years:

- (1) 1990.
- (2) 1992.

(3) 1994.

(e) The state department of health may not use the information obtained from the survey for any purpose other than collecting, reporting, and analyzing information collected under this SECTION. This restriction must be indicated on the survey tool used by the state department of health when surveying a facility.

(f) This SECTION expires January 1, 1995.

#### **1991-22-11**

SECTION 11. (a) An individual who:

(1) on June 30, 1993, is eligible to receive services or enroll in programs for developmentally disabled individuals under the definition in effect on June 30, 1993, under IC 12-7-2-61(1); and

(2) on July 1, 1993, is not eligible to receive services or enroll in programs for developmentally disabled individuals under the definition in effect on July 1, 1993, under IC 12-7-61(2);

is entitled to continue to receive services or enroll in programs for developmentally disabled individuals as if the definition in IC 12-2-61(1) had not been amended until the development of a transition plan to nondevelopmentally disabled services or programs (as prepared under subsection (b)) or July 1, 1994, whichever occurs first.

(b) The governor's planning council for people with disabilities, in coordination with the department of education, the division of mental health, the division of aging and rehabilitative services, the Indiana department of employment and training services, and any other appropriate state agency or department (as determined by the governor's planning council) shall prepare a comprehensive transition plan to guide the implementation of the functional definition of developmental disability in IC 12-7-2-61(2).

(c) The transition plan described in subsection (b) must include the following:

(1) The development of functional screening instruments.

(2) The identification and promotion of support models and strategies to ensure that all people with disabilities are served in ways that enhance their independence, productivity, and opportunity to participate in typical community life.

(3) A profile of the affected populations and an estimate of the service requirements to fully serve those populations.

(4) A description of developments in related programs, including:

(A) Medicaid;

(B) special education;

(C) work force employment; and

(D) community based residential and support services;

that potentially will serve the affected populations.

(5) A comprehensive fiscal analysis incorporating all expected sources of funds of the costs and benefits (including the estimates of potential increased self-sufficiency among those served by the developmental disability programs) of the programs for developmentally disabled individuals under the definition in IC 12-7-2-61(2).

(d) The transition plan described in this SECTION shall be submitted to the budget committee:

- (1) in sufficient time to allow the budget committee to consider the findings and recommendations in the plan for the formulation of the July 1, 1993, to June 30, 1995, biennial budget; and
- (2) not later than December 1, 1992.

(e) This SECTION expires June 30, 1995.

#### **1991-129-22**

SECTION 22. (a) Notwithstanding IC 13-7-20, an owner or operator of an underground petroleum storage tank who reported to the department of environmental management a release from the underground petroleum storage tank that occurred:

- (1) after March 31, 1988, and before July 1, 1990, may receive money from the underground petroleum storage tank excess liability fund by meeting the requirements to receive money from the fund under IC 13-7-20 that were in effect June 30, 1990; and
- (2) after June 30, 1990, and before May 9, 1991, may receive money from the underground petroleum storage tank excess liability fund by meeting the requirements to receive money from the fund IC 13-7-20 that were in effect May 8, 1991.

(b) The financial assurance board shall adopt rules to implement this SECTION before July 1, 1993.

(c) This SECTION expires July 1, 1996.

#### **1991-156-4**

SECTION 4. (a) Notwithstanding IC 20-3-21-9, if the referendum held under P.L.156-1991, SECTION 3, is approved, the initial election of members of the governing body shall be held May 5, 1992.

(b) Notwithstanding IC 20-3-21-8, the initial terms of the members elected under IC 20-3-21-9 are as follows:

- (1) The member who is elected at large under IC 20-3-21-3(b)(2), as amended by this act, for a term expiring June 30, 1996.
- (2) Of the six (6) members who are elected as district members under IC 20-3-21-3(b)(1), as amended by this act, for terms expiring as follows:

(A) Three (3) members for terms expiring June 30, 1996.

(B) Three (3) members for terms expiring June 30, 1994.

(c) By February 1, 1992, the chairman of the Indiana state board of education shall, with assistance from the county election board, determine through a blind draw the districts from which the initial district members will have terms expiring June 30, 1996, and from which the initial district members will have terms expiring June 30, 1994.

(d) If the referendum is approved, the term of each member of the governing body who was selected before the referendum was held expires June 30, 1992.

(e) This SECTION expires December 31, 1996.

#### **1991-156-6**

SECTION 6. (a) Notwithstanding IC 20-3-22-9, if the referendum

held under P.L.156-1991, SECTION 5, is approved, the initial election of members of the governing body shall be held May 5, 1992.

(b) Notwithstanding IC 20-3-22-8, the initial terms of the members elected under IC 20-3-22-9 are as follows:

(1) The two (2) members who are elected at large under IC 20-3-22-3(c), as amended by this act, for a term expiring June 30, 1996.

(2) Of the three (3) members who are elected as district members under IC 20-3-22-3(b), as amended by this act, for terms expiring as follows:

(A) One (1) member for a term expiring June 30, 1996.

(B) Two (2) members for terms expiring June 30, 1994.

(c) By February 1, 1992, the chairman of the Indiana state board of education shall, with assistance from the county election board, determine through a blind draw the district from which the initial district member will have a term expiring June 30, 1996, and from which the initial district members will have terms expiring June 30, 1994.

(d) If the referendum is approved, the term of each member of the governing body who was selected before the referendum was held expires June 30, 1992.

(e) This SECTION expires December 31, 1996.

#### **1992-1-188**

SECTION 188. (a) This act is intended to resolve technical conflicts among acts enacted by the general assembly and to correct other technical errors. This act is not intended to change the effective date of any statute or otherwise result in any substantive change in the law.

(b) This act does not affect any:

(1) rights or liabilities accrued;

(2) penalties incurred;

(3) violations committed; or

(4) proceedings begun;

before the effective date of this act. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if this act had not been enacted.

(c) Any reference in any statute or rule to a statute that is repealed and replaced in the same or a different form in this act shall be treated after the effective date of the new provision as a reference to the new provision.

#### **1992-2-904**

SECTION 904. A valid claim:

(1) for goods or services provided; and

(2) not paid;

under IC 12-2 before its repeal shall be paid under the corresponding provision of IC 12-20.

#### **1992-2-905**

SECTION 905. (a) This act is intended to be a codification and restatement of applicable or corresponding provisions repealed by this

act. This act is also intended to implement P.L.9-1991 to make conforming changes to carry out the legislative intent of P.L.9-1991. If this act repeals and replaces a provision in the same form or in a restated form, the substantive operation and effect of that provision continue uninterrupted.

(b) This act does not affect any:

- (1) rights or liabilities accrued;
- (2) penalties incurred;
- (3) violations committed;
- (4) proceedings begun;
- (5) bonds, notes, loans, or other forms of indebtedness issued, incurred, or made; or
- (6) tax levies made;

before the effective date of this act. Those rights, liabilities, penalties, offenses, proceedings, bonds, notes, loans, other forms of indebtedness, and tax levies continue and shall be imposed and enforced under prior law as if this act had not been enacted.

(c) A reference in a statute or rule to a statute that is repealed and replaced in the same or a different form in this act shall be treated after the effective date of the new provision as a reference to the new provision.

#### **1992-2-906**

SECTION 906. (a) Except as provided in subsection (b), a rule adopted under a provision repealed by this act is valid and effective until a rule is adopted under IC 4-22-2 that:

- (1) supersedes in whole or in part the rule adopted under a provision repealed by this act; or
- (2) repeals the rule adopted under a provision repealed by this act.

(b) If a rule adopted under a provision repealed by this act before the effective date of this act:

- (1) has not been superseded or repealed as provided in subsection (a); and
- (2) provides authority to a state agency that has been transferred to another state agency under this act;

the rule shall be interpreted to constitute an authorization to the state agency to which authority was transferred and not the former agency.

#### **1992-3-26**

SECTION 26. Any written rules or policies adopted by the secretary of state to administer IC 2-7 before July 1, 1992, continue in force until rescinded or modified by the legislative ethics commission established by IC 2-7-1.6, as added by this act.

#### **1992-8-47**

SECTION 47. (a) Notwithstanding IC 20-5-3-11, as added by this act, an individual who:

- (1) is a member of the governing body of a school corporation on March 1, 1992; and
- (2) is employed as a teacher (as defined in IC 20-6.1-1-8) or as a noncertificated employee (as defined in IC 20-7.5) of the school

corporation;  
may continue to be a member of the governing body of the school corporation until the term of the member is scheduled to expire under law.

(b) This SECTION expires July 1, 1998.

#### **1992-14-167**

SECTION 167. IC 28-7-1-9(9), as amended by this act, applies to expenditures made by credit unions after July 1, 1992, for buildings or other office space.

#### **1992-19-57**

SECTION 57. (a) The department of education may solicit and receive gifts or donations from private sources for the department of education's use in developing the grade 4 and grade 8 assessment program under IC 20-10.1-4.2 and the gateway assessment program under IC 20-10.1-4.3.

(b) This SECTION expires July 1, 1997.

#### **1992-20-48**

SECTION 48. (a) Except as provided in subsection (b), a rule adopted by the department of mental health concerning the handicapped infants and toddlers program before its repeal under P.L.9-1991, SECTION 98, is valid and effective until the section of child care services within the division of family and children adopts a rule under IC 4-22-2 that supersedes in whole or in part or otherwise repeals the department of mental health rule for the infants and toddlers with disabilities program under IC 12-17-14, as added by this act.

(b) If a rule adopted by the department of mental health before January 1, 1992:

- (1) has not been superseded or repealed as provided in subsection (a); and
- (2) provides authority to the department of mental health that has been transferred to the section of child care services within the division of family and children;

the rule shall be interpreted to constitute an authorization to the section of child care services within the division of family and children and not the division of mental health.

#### **1992-20-49**

SECTION 49. (a) Except as provided in subsection (b), a rule adopted by the Indiana state board of education concerning the school age child care project fund before its repeal under P.L.9-1991, SECTION 98 is valid and effective until the section of child care services within the division of family and children adopts a rule under IC 4-22-2 that supersedes in whole or in part or otherwise repeals the Indiana state board of education rule for the school age child care project program established under IC 12-17-12, as amended by this act.

(b) If a rule adopted by the Indiana state board of education before January 1, 1992:

- (1) has not been superseded or repealed as provided in subsection

(a); and

(2) provides authority to the Indiana state board of education that has been transferred to the section of child care services within the division of family and children;

the rule shall be interpreted to constitute an authorization to the section of child care services within the division of family and children and not the Indiana state board of education.

#### **1992-21-17**

SECTION 17. (a) Except as provided in subsection (b), a rule adopted by the department of mental health concerning the handicapped infants and toddlers program before its repeal under P.L.9-1991, SECTION 98, is valid and effective until the section of child care services within the division of family and children adopts a rule under IC 4-22-2 that supersedes in whole or in part or otherwise repeals the department of mental health rule for the infants and toddlers with disabilities program under IC 12-17-15, as added by this act.

(b) If a rule adopted by the department of mental health before January 1, 1992:

(1) has not been superseded or repealed as provided in subsection (a); and

(2) provides authority to the department of mental health that has been transferred to the section of child care services within the division of family and children;

the rule shall be interpreted to constitute an authorization to the section of child care services within the division of family and children and not the division of mental health.

#### **1992-21-18**

SECTION 18. (a) Except as provided in subsection (b), a rule adopted by the interdepartmental board for the coordination of human service programs concerning the school age child care project fund before its repeal under P.L.9-1991, SECTION 98 is valid and effective until the section of child care services within the division of family and children adopts a rule under IC 4-22-2 that supersedes in whole or in part or otherwise repeals the interdepartmental board rule for the school age child care project program established under IC 12-17-12.

(b) If a rule adopted by the interdepartmental board for the coordination of human service programs before January 1, 1992:

(1) has not been superseded or repealed as provided in subsection (a); and

(2) provides authority to the interdepartmental board that has been transferred to the section of child care services within the division of family and children;

the rule shall be interpreted to constitute an authorization to the section of child care services within the division of family and children and not the interdepartmental board for the coordination of human service programs.

(c) Notwithstanding this act, the changes made to IC 4-13-2-30, as amended by this act, with respect to contracts described in IC 4-13-2-20(i) take effect July 1, 1992.

**1992-22-2**

SECTION 2. (a) The general assembly finds that it is in the state's interest to encourage construction of facilities in Marion County by the Indiana historical society as authorized by IC 4-13-12.1, as added by this act.

(b) Subject to this SECTION, IC 4-13.5, and IC 4-13-12.1, as added by this act, the general assembly authorizes the state office building commission to participate in the construction project authorized by IC 4-13-12.1, as added by this act.

(c) The state office building commission may not obtain funds through issuance of bonds to finance the construction of the project.

(d) This SECTION expires July 1, 1997.

**1992-25-29**

SECTION 29. (a) A librarian certified under IC 25-1-2 before July 1, 1992, is considered to be a certified librarian (regardless of whether at the time of certification the librarian was considered to be certified for not more than two (2) years).

(b) This SECTION expires July 1, 1996.

**1992-27-32**

SECTION 32. (a) On or before July 1, 1992, the office of Medicaid policy and planning shall apply for approval from the federal Health Care Financing Administration to amend the state plan for medical assistance to implement this act.

(b) The office of Medicaid policy and planning may not implement this act until the federal Health Care Financing Administration has issued its approval for the amended state plan for medical assistance.

(c) This SECTION expires July 1, 1996.

**1992-27-33**

SECTION 33. P.L.112-1991, SECTION 6, shall be applied during state fiscal year 1992 and during the first quarter of state fiscal year 1993 to permit the office of Medicaid policy and planning to use funds from the Medicaid indigent care trust fund to pay the state share of the additional disproportionate share payments received by providers that also receive significant disproportionate share payments as required by P.L.112-1991, SECTION 1(e).

**1992-27-34**

SECTION 34. (a) The economic development authority created by IC 6-9-2-7 is abolished July 1, 1992.

(b) For purposes of determining the amount to be transferred in 1992 under IC 6-9-2-2, as amended by this act, the revenue collected under IC 6-9-2 is:

(1) the revenue collected after June 30, 1992, and before January 1, 1993, rather than the money collected during the entire year; plus

(2) the money remaining on July 1, 1992, in the economic development fund established under IC 6-9-2-2.



**1992-27-35**

SECTION 35. (a) P.L.112-1991, SECTION 3 shall be applied during state fiscal year 1992 and during the first quarter of state fiscal year 1993 to permit the office to modify the state plan amendment submitted as required by P.L.112-1991, SECTION 7(a) to replace the medical resident enhanced disproportionate share adjustments to teaching hospitals with an alternative utilization based enhanced disproportionate share adjustment to teaching hospitals in a manner determined by the office, or in the event of a utilization based adjustment is not approved by the Federal Health Care Financing Administration, with an alternative disproportionate share adjustment to teaching hospitals in a manner determined by the office.

(b) This SECTION expires July 1, 1995.

**1992-28-14**

SECTION 14. All agreements that are:

- (1) executed by or on behalf of school corporations or school townships before the effective date of this act; and
- (2) for advances from the Indiana common school fund under IC 21-1-5;

are hereby validated and legalized.

**1992-32-8**

SECTION 8. (a) The local government finance study commission is established.

(b) The commission consists of eight (8) members as follows:

- (1) Four (4) members of the senate, not more than two (2) of whom may be of the same political party, to be appointed by the president pro tempore of the senate with the advice of the minority leader of the senate.
- (2) Four (4) members of the house of representatives, not more than two (2) of whom may be of the same political party, to be appointed by the speaker of the house of representatives with the advice of the minority leader of the house of representatives.

(c) The commission has twelve (12) advisors as follows:

- (1) Four (4) city or town officials, not more than two (2) of whom may be of the same political party, to be appointed as follows:
  - (A) Two (2) appointed by the president pro tempore of the senate with the advice of the minority leader of the senate.
  - (B) Two (2) appointed by the speaker of the house of representatives with the advice of the minority leader of the house of representatives.
- (2) Four (4) county officials, not more than two (2) of whom may be of the same political party, to be appointed as follows:
  - (A) Two (2) appointed by the president pro tempore of the senate with the advice of the minority leader of the senate.
  - (B) Two (2) appointed by the speaker of the house of representatives with the advice of the minority leader of the house of representatives.

- (3) Four (4) private citizens, not more than two (2) of whom may be of the same political party, to be appointed by the governor.

(d) If a vacancy exists on the commission or among the advisors, the vacancy shall be filled by the person who made the original appointment.

(e) The chairman of the legislative council shall name the chairman of the commission. The chairman shall call the first meeting of the commission before July 1, 1992.

(f) The commission shall conduct a study of matters concerning local government, including the following:

(1) Ways to simplify and recodify statutory property tax controls.

(2) Revenue sources and uses of the revenue.

(3) The impact of property tax controls on economic development.

(4) Alternative sources of revenue that are not derived from property taxes.

(5) The Barrett Law. The commission shall do the following concerning the Barrett Law:

(A) Recodify the Barrett Law during the 1992 interim of the general assembly.

(B) Study the Barrett Law and recommend changes during the 1993 interim of the general assembly.

(C) Study other issues concerning the Barrett Law that are assigned by the legislative council.

(g) The commission shall operate under the direction of the legislative council as follows:

(1) Staff services shall be supplied by the legislative services agency.

(2) The office of fiscal and management analysis shall conduct a special inquiry into the financial organization of local government under the direction of the commission.

(3) The commission shall issue an interim report before January 1, 1993, and a final report before November 1, 1993, or at other times determined by the legislative council. Copies of each report shall be given to the governor and legislative council.

(h) Travel and other expenses shall be paid as follows:

(1) Each advisor to the commission who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Each advisor is, however, entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the advisor's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(2) Each advisor to the commission who is a state employee is entitled to reimbursement for traveling expenses under IC 4-13-1-4 and other expenses actually incurred in connection with the advisor's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(3) Each member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

**1992-32-9**

SECTION 9. There is appropriated to the legislative council forty thousand dollars (\$40,000) from the motor vehicle account fund, half from the amount set aside for distribution under IC 8-14-1-3(1) and half from the amount set aside for distribution under IC 8-14-1-3(2), for its use in carrying out the purposes of SECTION 8 of this act for the period beginning May 1, 1992, and ending December 31, 1993. This appropriation is in addition to any other amounts appropriated to the legislative council. Any money remaining unexpended at the end of a state fiscal year does not revert to the state general fund until January 1, 1994.

**1992-35-2**

SECTION 2. IC 5-10-8-7.2, as added by this act, applies to a contract between the state and a prepaid health care delivery plan that is entered into or renewed after June 30, 1992.

**1992-40-21**

SECTION 21. (a) Notwithstanding IC 16-1-7-2, as amended by this act, a full-time or part-time city health department in a county having a population of more than one hundred twenty-nine thousand (129,000) but less than one hundred thirty thousand six hundred (130,600) terminates January 1, 1994.

(b) By January 1, 1994, local officials shall consolidate any city health department in a county having a population of more than one hundred twenty-nine thousand (129,000) but less than one hundred thirty thousand six hundred (130,600) with the county local health department.

(c) Before calculating the 1994 maximum permissible levy under IC 6-1.1-18.5, the state board of tax commissioners shall increase the 1993 maximum levy permitted under IC 6-1.1-18.5 for a county having a population of more than one hundred twenty-nine thousand (129,000) but less than one hundred thirty thousand six hundred (130,600). The increase is the amount budgeted in 1993 by the cities that had local health departments in the county for the operation of the cities' health department.

(d) This SECTION applies to property taxes first due and payable after December 31, 1993.

**1992-41-9**

SECTION 9. (a) An action taken by a redevelopment commission before the effective date of this act to designate a taxpayer, modify the definition of property taxes, or establish a base assessed value as described in IC 36-7-14-39.3, as amended by this act, is hereby legalized and validated as if IC 36-7-14-39.3, as amended by this act, had been in effect on the date of the action.

(b) The amendment made by SECTION 2 of this act to IC 36-7-14-39.3 as added by P.L.35-1990, SECTION 59, and P.L.35-1990, SECTION 74, does not affect actions taken pursuant to P.L.35-1990.

**1992-41-11**

SECTION 11. SECTIONS 1 through 3 of this act apply to property taxes first due and payable after December 31, 1992.

**1992-42-8**

SECTION 8. Notwithstanding P.L.56-1991 or any other law, a taxpayer's deductions under IC 6-1.1-12.1-4.5 for new manufacturing equipment first assessed on March 1, 1991, shall not, as a result of the amendments made by P.L.56-1991, SECTION 2, and codified at IC 6-1.1-12.1-4.5(f), be less than the deductions the taxpayer would have received for that new manufacturing equipment under IC 6-1.1-12.1-4.5 as IC 6-1.1-12.1-4.5 existed immediately before the amendments made by P.L.56-1991, SECTION 2.

**1992-43-18**

SECTION 18. (a) SECTION 8 of this act applies to transactions occurring after June 30, 1992.

(b) SECTION 9 of this act applies to taxable years beginning after December 31, 1991.

(c) SECTION 11 of this act applies to taxable years beginning after December 31, 1992.

**1992-43-19**

SECTION 19. Notwithstanding P.L.240-1991(ss2), SECTION 9, the intent of the general assembly is to expend for state tuition support during 1992 and 1993 the amount of state tuition support determined for distribution under IC 21-3, as limited by IC 21-3-1.7-9, as amended by this act, plus the amount of supplemental tuition support distributions under P.L.240-1991(ss2), SECTION 9.

**1992-46-19**

SECTION 19. (a) A rule adopted by the Indiana state board of education concerning teacher training and licensing filed with the secretary of state before July 1, 1992, shall be treated after June 30, 1992, as if the rule had been adopted by the professional standards board established by IC 20-1-1.4, as added by this act.

(b) After June 30, 1992, any reference to the Indiana state board of education concerning powers and duties relating to teacher training and licensing issues in any statute or rule shall be treated as a reference to the professional standards board established by IC 20-1-1.4, as added by this act. This subsection applies to state appropriations.

(c) This SECTION expires July 1, 1997.

**1992-46-21**

SECTION 21. (a) Notwithstanding IC 20-1-1.4-4, as added by this act, the governor shall appoint the initial members of the professional standards board for staggered terms as determined by the governor.

(b) This SECTION expires July 1, 1994.

**1992-46-24**

SECTION 24. (a) The professional standards board established by

IC 20-1-1.4-2, as added by this act, shall do the following:

- (1) Employ the staff that on June 30, 1992, performed duties under the direction of the advisory committee on teacher training and licensing.
  - (2) Utilize the resources including space, equipment, computer equipment and furniture that on June 30, 1992, were available to the advisory committee on teacher training and licensing.
- (b) This SECTION expires July 2, 1994.

### **1992-48-3**

SECTION 3. This act does not apply to a petition for rehearing or redetermination that is based on a determination or final determination made before July 1, 1992.

### **1992-54-5**

SECTION 5. (a) A joint agency created under IC 8-1-2.2 may plan for the acquisition of an ownership interest in electric generating facilities located outside Indiana as permitted by this act. Except for the acquisition of an ownership interest in an out-of-state generating facility having a name-plate rated capacity not in excess of 65 MW, a joint agency may not acquire any other out-of-state generating facility before January 1, 1996.

(b) This SECTION expires January 1, 1996.

### **1992-55-3**

SECTION 3. (a) This SECTION applies to all telephone companies.

(b) This SECTION does not apply to rate structures for the following:

- (1) Cellular mobile carriers.
- (2) Message rate service provided by a telephone company.
- (3) Radio common carriers.
- (4) Customer owned pay telephones.
- (5) Shared tenant services.
- (6) Optional services.
- (7) Information services.

(c) As used in this SECTION, "message rate service" means local exchange telephone service under which local service is furnished as a customer option and charged for on the basis of the following:

- (1) A specified allowance of local calls originated with a minimum charge.
- (2) Any additional calls above the allowance charged at a uniform rate per call.

(d) As used in this SECTION, "optional services" does not mean any form of basic local exchange service, and the addition of touchtone dialing to basic local exchange service does not exempt this local service from subsection (f).

(e) As used in this SECTION, "telephone company" means an individual, a firm, a partnership, a cooperative organization, an unincorporated association, or a corporation engaged in the business of furnishing telecommunications service.

(f) A telephone company may not impose and the Indiana utility

regulatory commission may not approve a rate structure for local exchange telephone service that is based upon any one (1) or more of the following:

- (1) Minutes of use.
- (2) Distance of call.
- (3) Number of calls.
- (4) Time of day.
- (g) This SECTION expires July 1, 1995.

#### **1992-58-2**

SECTION 2. (a) There is appropriated from the industrial rail service fund created by IC 8-3-1.7-2 to the interstate rail passenger advisory council created by IC 8-3-21, as added by this act, four thousand dollars (\$4,000) for the state fiscal year ending June 30, 1992, for its use in carrying out the purposes of IC 8-3-21.

(b) There is appropriated from the industrial rail service fund created by IC 8-3-1.7-2 to the interstate rail passenger advisory council created by IC 8-3-21, as added by this act, ten thousand dollars (\$10,000) for each of the state fiscal years ending June 30, 1993, and June 30, 1994, for its use in carrying out the purposes of IC 8-3-21.

(c) This SECTION expires July 1, 1994.

#### **1992-69-4**

SECTION 4. (a) The following money shall be transferred to the Indiana heritage trust fund established by IC 14-3-20-26, as added by this act:

- (1) The unexpended balance of the appropriation for wetland acquisition and restoration in P.L. 185-1990, SECTION 9.
- (2) The unexpended allocation for wetlands acquisition of the appropriation for fish and wildlife division repair and rehabilitation in P.L. 357-1989(ss), SECTION 30C.

(b) The money transferred to the Indiana heritage trust fund under this SECTION shall be expended for the purpose for which the money was originally appropriated.

(c) This SECTION expires December 31, 1994.

#### **1992-69-5**

SECTION 5. (a) As used in this SECTION, "project committee" refers to the Indiana heritage trust project committee established by IC 14-3-20-16, as added by this act.

(b) As used in this SECTION, "member" refers to a member of the project committee under IC 14-3-20-17(a)(7), as added by this act.

(c) Before July 1, 1992, the governor shall appoint the members.

(d) The terms of the members appointed under this SECTION begin July 1, 1992.

(e) Notwithstanding IC 14-3-20-21(c), as added by this act, the terms of:

- (1) five (5) members of the project committee expire July 1, 1993; and
- (2) five (5) members of the project committee expire July 1, 1994.

(f) Subject to this SECTION, when appointing a member under this

SECTION, the governor shall specify when the term of the member expires.

(g) This SECTION expires July 1, 1994.

#### **1992-75-22**

SECTION 22. (a) Notwithstanding IC 12-15-35-21, as added by this act, the governor shall appoint the initial members of the drug utilization review board established by this act for terms expiring as follows:

- (1) Two (2) members for terms expiring June 30, 1995.
  - (2) Four (4) members for terms expiring June 30, 1996.
  - (3) Four (4) members for terms expiring June 30, 1997.
- (b) This SECTION expires July 1, 1997.

#### **1992-78-32**

SECTION 32. (a) The office of the secretary of family and social services established by IC 12-6-2-1 shall conduct a pilot project from January 1, 1993, through December 31, 1995. The project must be conducted in at least three (3) counties in Indiana and must put in place a system for decategorizing the resources provided for child welfare, foster care, probation of children, education of children, and the mental health of children while addressing the comprehensive needs of children.

(b) The goals of the project include the following:

- (1) Improving the development and delivery of community based services to more adequately meet the comprehensive needs of children.
- (2) Coordinating the planning and provision of services to address a child's needs within existing budgetary limitations.
- (3) The designation of a responsible person or agency for carrying out a coordinated plan for a child.
- (4) Transitional support between out-of-home or institutional placement and home or community based placement.
- (5) Resource flexibility within existing budgetary limitations.
- (6) Decentralizing services.
- (7) Interagency agreements.
- (8) Addressing family wide needs and services.
- (9) Other consistent goals determined by the office of the secretary.

(c) To carry out the project, the office of the secretary shall solicit requests for proposals. An applicant must provide the office of the secretary with a comprehensive plan on how the applicant will achieve the goals of the project. The office of the secretary shall choose at least one (1) applicant in a county that represents a predominantly urban area, one (1) applicant in a county that represents a predominantly rural area, and one (1) applicant in a county that represents neither a predominantly urban nor rural area. To be selected for participation in the project, an applicant must do the following:

- (1) Have an agreement in place among the following to carry out the project:
  - (A) The department of education.

- (B) The department of correction.
  - (C) The county fiscal body.
  - (D) The county department of public welfare.
  - (E) The judge having juvenile jurisdiction within the county.
  - (F) The community mental health center primarily serving the county.
  - (G) The school corporation primarily serving the county.
- (2) Provide a three (3) year commitment of money and other resources from the entities listed in subdivision (1) in an amount sufficient to carry out the project within existing budgetary limitations.
  - (3) Establish a child services planning committee as provided in subsection (d).
  - (4) Provide training for the members of the child services planning committee so that the members are knowledgeable of the procedural requirements and the services available from the various providers.
  - (5) Collect data for analyzing each feature of the project, as required by the office of the secretary.
- (d) A child services planning committee must have the following members:
- (1) The director of the county department of public welfare or the director's designee.
  - (2) The director of the community mental health center serving the child's area of residence or the director's designee.
  - (3) The superintendent of the school corporation in which the child is legally settled or the superintendent's designee.
  - (4) The child's parent or guardian as a nonvoting member.
  - (5) The child's probation or parole officer if the child has a probation or parole officer.
  - (6) The child's guardian ad litem, if a guardian ad litem has been appointed, as a nonvoting member.
  - (7) The child's court appointed special advocate, if a special advocate has been appointed, as a nonvoting member.

The children who qualify to have a plan determined by the committee, the authority of the committee, the committee quorum rules, and the rules governing the convening and procedure of the committee shall be specified in the application. The office of the secretary, the county department of public welfare, the judge having juvenile jurisdiction within the county, the community mental health center primarily serving the county, and the school corporation in which the child is legally settled shall comply with the plan adopted by the committee. Unless prohibited by federal law, information concerning a child that is confidential to a committee member may be disclosed to another member. However, all members shall treat that information as confidential. Committee meetings are not subject to IC 5-14-1.5 and IC 5-14-3.

- (e) The child services planning committee may waive any state or local rule or requirement on a case by case basis, which is not required by federal law, that is adopted by the office of the secretary or the office's divisions, the department of correction, the department of



education, or the school corporation in which the child has legal settlement, if the committee finds the rule or requirement impedes the attainment of the project's goals. However, a rule or requirement may be waived only if a vote is taken by the committee and the director of the county department of public welfare, the director of the community mental health center serving the child's area of residence, the superintendent of the school corporation in which the child is legally settled, and the parole or probation officer, if applicable, are the voting members.

(f) Notwithstanding IC 36-1, money appropriated to cover the commitment required by subsection (c) may not be appropriated for any other purpose than carrying out the project. The budget agency and state board of tax commissioners may not reallocate or reduce the budget of a participant in a project during the three (3) year project period.

(g) For the participants in the project, the committee established under subsection (d) replaces and assumes the duties of the local coordinating committee established under IC 31-6-14.

(h) The office of the secretary shall file an annual report with the general assembly before November 1, 1993, 1994, and 1995, that covers the following:

- (1) The office's assessment of the project, including the successes and failures of the project.
- (2) A summary of the data collected for each feature of the project and the following:
  - (A) The number of children served.
  - (B) Long term outcome measures of the children and families involved.
  - (C) The cost effectiveness of the project.
  - (D) The average cost of services provided.
  - (E) Identification of the statutory and regulatory barriers to local integrated service delivery.
- (3) The propriety of implementing each feature of the project on a statewide or local option basis.
- (i) This SECTION expires January 1, 1996.

### **1992-78-33**

SECTION 33. (a) As used in this SECTION, "committee" refers to the information management committee established by subsection (b).

(b) The information management committee is established.

(c) The committee consists of ten (10) members as follows:

- (1) The commissioner of the department of correction or the commissioner's designee.
- (2) The superintendent of the department of education or the superintendent's designee.
- (3) The commissioner of the state department of health or the commissioner's designee.
- (4) The director of the division of family and children or the director's designee.
- (5) The director of the division of mental health or the director's designee.

- (6) The director of the division of aging and rehabilitative services or the director's designee.
- (7) A local school official appointed by the superintendent of the department of education.
- (8) A judge of a court with juvenile jurisdiction appointed by the governor.
- (9) A law enforcement official appointed by the governor.
- (10) A representative of the Indiana State Medical Association.
- (d) A member appointed under subsection (c) must be knowledgeable about juvenile information sharing problems.
- (e) Six (6) members of the committee constitute a quorum for transacting business of the committee.
- (f) The division of family and children shall provide staff for the committee.
- (g) Each member of the committee who is not a state employee is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.
- (h) The governor shall appoint one (1) member of the committee to serve as chairperson and one (1) member to serve as vice chairperson.
- (i) The committee shall meet at least quarterly.
- (j) The committee shall do the following:
  - (1) Study the problems associated with confidential information relating to children.
  - (2) Define how confidential information relating to children should be shared.
  - (3) Develop a workable procedure for information sharing that does not compromise the legitimate requirements of confidentiality.
- (k) The committee shall, in the following order, implement the following steps:
  - (1) Determine the information regarding juveniles that is currently being maintained, including a thorough evaluation of the types of information maintained by the members represented on the committee.
  - (2) Evaluate the need or usefulness of the information.
  - (3) Determine all statutory record requirements and exceptions with respect to the information gathered under subdivision (1).
  - (4) Establish a records use policy. A determination shall be made as to what information is not confidential and may readily be shared. A policy for the disclosure of information must be established to improve timely record sharing.
  - (5) Designate information management liaisons and gatekeepers.
  - (6) Continue to review information and management policies.
- (l) The committee shall make legislative recommendations to the legislative council for the establishment of a records use policy, including the creation of information management liaisons and gatekeepers, by November 1, 1993.
- (m) This SECTION expires July 1, 1998.

**1992-81-42**

SECTION 42. (a) Notwithstanding IC 12-17.5-4-6, as added by this act, a person initially granted a foster home license under IC 12-3-2 (before its repeal by HEA 1133 of the 1992 Regular Session of the General Assembly) or granted a reinstatement of a foster home license under IC 12-3-2 (before its repeal) before July 1, 1988, is not required to meet the capacity limits on the number of children that may be cared for under IC 12-17.5-4-6.

(b) This SECTION expires June 30, 1997.

**1992-101-6**

SECTION 6. (a) Except as provided in subsection (b), a rule adopted by the state department of health concerning grain moisture testing equipment is valid and effective until the office of the commissioner of agriculture adopts a rule under IC 4-22-2 that:

- (1) supersedes in whole or in part the state department of health rule; or
- (2) repeals the state department of health rule.

(b) If a rule adopted by the state department of health before July 1, 1992:

- (1) has not been superseded or repealed as provided in subsection (a); and
- (2) provides authority to the state department of health that has been transferred to the office of the commissioner of agriculture under this act;

the rule shall be interpreted to constitute an authorization to the office of the commissioner of agriculture and not the state department of health.

(c) This act does not affect:

- (1) rights or liabilities accrued;
- (2) penalties incurred;
- (3) crimes committed; or
- (4) proceedings begun;

before July 1, 1992. Those rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced under prior law as if this act had not been enacted.

**1992-104-12**

SECTION 12. (a) Notwithstanding IC 20-1-19, as amended by this act, contributions to the career college student assurance fund established by IC 20-1-19-8.2, as added by this act, are initially required to be made by postsecondary proprietary institutions beginning with the quarterly payment beginning January 1, 1993.

(b) Claims against the balance in the career college assurance fund may not be made until the balance in the career college assurance fund is more than one hundred thousand dollars (\$100,000).

(c) This SECTION expires January 1, 1996.

**1992-112-13**

SECTION 13. The director of the bureau of mines shall study the feasibility of providing mandatory training for all underground coal

miners in Indiana. As a part of the study the director shall determine if federal grant money is available from the federal Mine Safety and Health Administration to conduct and develop such a training program. The director shall complete the study and report the findings of the study to the commissioner of labor before October 1, 1993.

#### **1992-120-4**

SECTION 4. (a) The initial terms of office of the seven (7) members of the real estate education advisory council established by IC 25-34.1-9-2, as added by this act, are as follows:

(1) One (1) member who represents residential real estate sales practitioners, two (2) members who represent other segments and specialties of the real estate industry besides residential real estate sales practitioners, and one (1) member who represents real estate education for a term of one (1) year.

(2) Two (2) members who represent residential real estate sales practitioners and one (1) member who represents other segments and specialties of the real estate industry besides residential real estate sales practitioners for terms of two (2) years.

(b) The initial terms begin July 1, 1992.

(c) Notwithstanding IC 25-34.1-9, as added by this act, an individual:

(1) licensed under IC 25-34.1-3-3.1 must complete the continuing education requirements after December 31, 1993, but before December 31, 1995; and

(2) licensed under IC 25-34.1-3-4.1 must complete the continuing education requirements after December 31, 1994, but before December 31, 1996.

(d) This SECTION expires December 31, 1996.

#### **1992-127-2**

SECTION 2. (a) IC 27-8-15, as added by this act, applies to each health insurance plan for a small employer that is delivered, issued for delivery, renewed, or continued in Indiana after June 30, 1992.

(b) The date a plan is continued is the first rating period that begins after June 30, 1992.

(c) This SECTION expires June 30, 1995.

#### **1992-133-65**

SECTION 65. (a) Notwithstanding IC 33-5-10.7-2, as added by this act, the judge of the Decatur county court serving on June 30, 1992, is entitled to serve as the initial judge of the Decatur superior court for a term beginning July 1, 1992, and ending December 31, 1996.

(b) The initial election of a judge of the Decatur superior court is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(c) This SECTION expires January 2, 1997.

#### **1992-133-68**

SECTION 68. (a) Notwithstanding IC 33-5-38.2-2, as added by this act, before July 1, 1993, the governor shall appoint the initial judge of

the Pulaski superior court, established by this act, for a term beginning July 1, 1993, and ending December 31, 1994.

(b) The initial election of a judge for the Pulaski superior court, established by this act, is the general election to be held November 8, 1994. The person elected takes office January 1, 1995.

(c) This SECTION expires January 2, 1995.

#### **1992-133-69**

SECTION 69. (a) Notwithstanding IC 33-5-10.9-2, as added by this act, before July 1, 1993, the governor shall appoint the initial judge of the Fulton superior court, established by this act, for a term beginning July 1, 1993, and ending December 31, 1994.

(b) The initial election of a judge for the Fulton superior court, established by this act, is the general election to be held November 8, 1994. The person elected takes office January 1, 1995.

(c) This SECTION expires January 2, 1995.

#### **1992-133-70**

SECTION 70. (a) Notwithstanding IC 33-5-19.3-2, as added by this act, the judge for the county court for Grant County on June 30, 1992, is entitled to serve as the initial judge of the Grant superior court No. 3 for a term beginning July 1, 1992, and ending December 31, 1996.

(b) The initial election of a judge of the Grant superior court No. 3 is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(c) This SECTION expires January 2, 1997.

#### **1992-133-74**

SECTION 74. (a) Notwithstanding IC 33-10.5-4-2, the judge for the county court for Harrison County on June 30, 1992, is entitled to serve as the initial judge of the Harrison superior court for a term beginning July 1, 1992, and ending December 31, 1996.

(b) The initial election of a judge of the Harrison superior court is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(c) This SECTION expires January 2, 1997.

#### **1992-133-75**

SECTION 75. (a) Notwithstanding IC 33-5-20.2-2, as added by this act, the judge of the county court for Howard County on June 30, 1992, is entitled to serve as the initial judge of the Howard superior court No. 3 for a term beginning July 1, 1992, and ending December 31, 1996.

(b) The initial election of a judge of the Howard superior court No. 3 is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(c) This SECTION expires January 2, 1997.

#### **1992-133-77**

SECTION 77. (a) Notwithstanding IC 33-5-22-1, as amended by this act, the judge for the county court for Hamilton County on June 30, 1992, is entitled to serve as the initial judge of the Hamilton superior

court No. 4 for a term beginning July 1, 1992, and ending December 31, 1996.

(b) The initial election of a judge of Hamilton superior court No. 4 is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(c) This SECTION expires January 2, 1997.

#### **1992-133-79**

SECTION 79. (a) Notwithstanding IC 33-5-23-1, as amended by this act:

(1) the person elected judge of the superior court of Hancock County on November 6, 1990, is entitled to serve as the initial judge of Hancock superior court No. 1 for a term beginning July 1, 1992, and ending December 31, 1996; and

(2) the person elected judge of the Hancock county court on November 6, 1990, is entitled to serve as the initial judge of Hancock superior court No. 2 for a term beginning July 1, 1992, and ending December 31, 1996.

(b) The initial election of the judge of Hancock superior court No. 1 is the general election to be held November 5, 1996. The person elected in that election takes office January 1, 1997.

(c) The initial election of the judge of Hancock superior court No. 2 is the general election to be held November 5, 1996. The person elected in that election takes office January 1, 1997.

(d) This SECTION expires January 2, 1997.

#### **1992-133-80**

SECTION 80. (a) Notwithstanding IC 33-5-25-1, as amended by P.L.133-1992, SECTION 24, the initial election of a judge for the Hendricks superior court No. 3, established by P.L.133-1992, SECTION 24, is the general election to be held November 8, 1994. The person elected takes office January 1, 1995.

(b) Candidates for nomination for the office of the Hendricks superior court No. 3, established by P.L.133-1992, SECTION 24, shall file a declaration of candidacy in accordance with IC 3-8-2-4 not later than noon, March 4, 1994.

(c) The Hendricks County election board shall place the candidates for nomination for the office of Hendricks superior court No. 3 on the ballot for the primary election to be held May 3, 1994.

(d) This SECTION expires January 2, 1995.

#### **1992-133-82**

SECTION 82. (a) Notwithstanding IC 33-5-38-1, as amended by this act, before July 1, 1993, the governor shall appoint the initial judge of the Porter superior court, county division, located in Portage Township in Porter County that is established by this act for a term beginning July 1, 1993, and ending December 31, 1994.

(b) The initial election of a judge for the Porter superior court, county division, located in Portage Township in Porter County that is established by this act is the general election to be held November 8, 1994. The person elected takes office January 1, 1995.

(c) This SECTION expires January 2, 1995.

**1992-133-85**

SECTION 85. (a) Notwithstanding IC 33-5-45.5-11, as amended by this act, before July 1, 1993, the governor shall appoint the initial judge of the Warrick superior court No. 2, established by this act, for a term beginning July 1, 1993, and ending December 31, 1994. The county commissioners of Warrick County shall provide facilities and equipment for the Warrick superior court No. 2 before July 1, 1993.

(b) The initial election of a judge for the Warrick superior court No. 2, established by this act, is the general election to be held November 8, 1994. The person elected takes office January 1, 1995.

(c) This SECTION expires January 2, 1995.

**1992-133-87**

SECTION 87. (a) Notwithstanding IC 33-10.5-4-2, the judge for the county court for Jefferson County on June 30, 1992, is entitled to serve as the initial judge of the Jefferson superior court for a term:

(1) beginning July 1, 1992; and

(2) ending December 31, 1996.

(b) The initial election of a judge of the Jefferson superior court is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(c) This SECTION expires January 2, 1997.

**1992-137-4**

SECTION 4. (a) Notwithstanding that IC 34-4-2.5, as added by this act, takes effect July 1, 1995, the Indiana supreme court may begin to collect voluntary contributions in the amount of twenty-five dollars (\$25) after June 30, 1993, from each attorney admitted to practice before the Indiana supreme court. The money collected from the voluntary contributions shall be used for the community dispute resolution centers program upon the program's establishment.

(b) This SECTION expires July 1, 1995.

**1992-147-3**

SECTION 3. (a) A declaratory resolution or an amendment to a declaratory resolution that was adopted by:

(1) the county redevelopment commission for a county described in IC 36-7-14-39.3(a)(1)(B), as added by this act; or

(2) the city redevelopment commission for a city described in IC 36-7-14-39.3(a)(2), as added by this act;

before the effective date of this act is hereby legalized and validated as if the declaratory resolution or amendment had been adopted under IC 36-7-14-39.3, as amended by this act.

**1992-152-25**

SECTION 25. This act applies to assessments made after the effective date of this act.

**1992-153-1**

SECTION 1. This act applies to each taxpayer who:

- (1) is located in an enterprise zone that is in a city having a population of more than thirty-three thousand eight hundred fifty (33,850) and less than thirty-five thousand (35,000);
- (2) was granted the credit against property tax liability on enterprise zone inventory under IC 6-1.1-20.8 for property taxes first due and payable in 1990; and
- (3) did not file an application for the credit before the deadline set forth in IC 6-1.1-20.8-2 for property taxes first due and payable in 1991.

#### **1992-153-2**

SECTION 2. (a) A taxpayer described in SECTION 1 of this act is entitled to a credit against property tax liability in an amount equal to the credit that would have been granted to the taxpayer under IC 6-1.1-20.8 for property taxes on enterprise zone inventory assessed in 1990 for taxes payable in 1991 if the taxpayer had filed an application for the credit in a timely manner.

(b) The credit provided by this act is not limited to property taxes on enterprise zone inventory and is in addition to any other credits to which the taxpayer may be entitled under IC 6-1.1-20.8.

(c) A taxpayer may claim the credit provided by this act by filing an application with the county auditor and the state board of tax commissioners before April 15, 1992. Applications under this act must be filed on forms prescribed by the state board of tax commissioners.

#### **1992-153-3**

SECTION 3. (a) The county auditor shall determine the eligibility of each applicant for a credit under this act before May 1, 1992. The county auditor shall immediately notify the applicant and the state board of tax commissioners of the determination.

(b) If the county auditor determines that an applicant is eligible for the credit provided by this act, the county auditor shall apply the credit to the taxpayer's property tax liability as follows:

- (1) One-half (1/2) of the credit shall be applied to the May 1993 installment of property taxes.
- (2) One-half (1/2) of the credit shall be applied to the November 1993 installment of property taxes.

(c) If the county auditor determines that an applicant is not eligible for the credit under this act, the applicant may appeal for a review of the application by the state board of tax commissioners in the manner provided by IC 6-1.1-20.8-3.

#### **1992-153-4**

SECTION 4. This act expires December 31, 1994.

#### **1992-155-1**

SECTION 1. The board of trustees of Purdue University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the following project as long as the sum of principal costs of any bonds issued does not exceed the total authority listed



below. The principal costs of the bonds include all acquisition, installation, planning, and other related costs. Interest and financing charges, costs, and expenses may also be financed as part of the bond issue in amounts that may be in addition to the total authority listed below. The trustees are further authorized to pledge any available funds not otherwise encumbered as may be required to secure repayment of the bonds, together with interest and financing charges, costs, and expenses.

**PURDUE UNIVERSITY**

West Lafayette Campus Turbine

Generator and Renovation of

Existing Turbine Generator \$16,000,000

The above authorized amount is in lieu of the three million dollars (\$3,000,000) authorized for the West Lafayette campus generator purchase in P.L.185-1990, SECTION 9.

These projects must be repaid from operating funds and are not eligible for fee replacement appropriations.